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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/639,440	08/13/2003	Hirokazu Suzuki	05225.0246	6337

22852 7590 05/03/2007
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EXAMINER

MCFADDEN, SUSAN IRIS

ART UNIT	PAPER NUMBER
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2626

MAIL DATE	DELIVERY MODE
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05/03/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/639,440

Applicant(s)

SUZUKI, HIROKAZU

Examiner

Susan McFadden

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 August 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claim 20 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The computer program product should be embodied in a computer readable medium.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-3, 19-20, and 8-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Yamauchi et al. (5,845,143).

In regard to claims 1-3 and 8-15, Yamauchi et al. show a machine translation apparatus including a plurality of target language document databases used for a translation from an original language to a target language, comprising: a database control unit configured to assign a priority degree to each of the plurality of target language document databases, and to indicate which of the target language document databases has the highest priority degree, wherein said database control applied word of translation word's target language document database unit sets a non-selection to each according to a user's indication, the non-applied word of translation word's selection being a type of word in the original language that does not require the user's selection of the translation word candidates when being translated from the original language into the target language; to generate candidates and a translation word generation unit a plurality of translation of an original word for the translation word learning select a translation word as the plurality of translation word using the target language document indicated by said database control configured word translation; unit configured to select a translation from candidates by database unit (Abstract, Fig. 3).

In regard to claims 19 and 20, Yamauchi et al. show a computer program product and method in a system of target language document translation from an original language, comprising: assigning including a plurality databases used for a language to a target a priority degree to each of the plurality of target language indicating which of the target document databases has the highest document databases; language priority degree; generating a plurality of translation word candidates of an original word for the translation; and selecting a translation word as the translation from the plurality of

translation word candidates by using the indicated one of the target language document databases (Abstract, col. 27-28).

6. Claims 1-3 and 8-15 are rejected under 35 U.S.C. 102(e) as being anticipated by JP 08-101836 (cited by Applicant).

7. In regard to claims 1-3 and 8-15, JP 08-101836 shows a machine translation apparatus including a plurality of target language document databases used for a translation from an original language to a target language, comprising: a database control unit configured to assign a priority degree to each of the plurality of target language document databases, and to indicate which of the target language document databases has the highest priority degree, wherein said database control applied word of translation word's target language document database unit sets a non- selection to each according to a user' s indication, the non-applied word of translation word's selection being a type of word in the original language that does not require the user's selection of the translation word candidates when being translated from the original language into the target language; to generate candidates and a translation word generation unit a plurality of translation of an original word for the translation word learning select a translation word as the plurality of translation word using the target language document indicated by said database control configured word translation; unit configured to select a translation from candidates by database unit (Abstract).

8. Claims 19 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by JP 09-081572 (cited by Applicant).

9. In regard to claims 19 and 20, JP 09-081572 shows a computer program product and method in a system of target language document translation from an original language, comprising: assigning including a plurality databases used for a language to a target a priority degree to each of the plurality of target language indicating which of the target document databases has the highest document databases; language priority degree; generating a plurality of translation word candidates of an original word for the translation; and selecting a translation word as the translation from the plurality of translation word candidates by using the indicated one of the target language document databases (Abstract).

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 4-7 and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 08-101836 in view of JP 09-081572 (both cited by Applicant).


12. In regard to claims 4-6 and 16-17, JP 08-101836 shows the translation database system discussed above. They do not specifically show that priority or similarity degrees are determined. JP 09-081572 shows a translation database system which determines priorities. Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to add this feature because it makes the system more efficient.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan McFadden whose telephone number is 571-272-7621. The examiner can normally be reached on Monday-Friday, 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on 571-272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Susan McFadden
Primary Examiner
Art Unit 2626

April 30, 2007